

CITY COUNCIL PROCEEDINGS

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MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, July 11, 2000
Tuesday, 9:07 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Cole, Gale, Lambke, Martz, Pisciotte, Rogers; present.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

Lakshmi Kambampati, Sanskrit gave the invocation.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes -- approved The minutes of the regular meeting of June 27, 2000, were approved 7 to 0.

AWARDS AND PRESENTATIONS

PROCLAMATIONS Proclamations previously approved were presented.

YOUTH SERVICE Wichita's Promise – Youth Community Service Awards were presented.

PUBLIC AGENDA

Patrick F. Cameron, Partners in Development Research – Comprehensive Plan.

Patrick F. Cameron Patrick F. Cameron said Partners in Development Research cares about future of the City.

Mr. Cameron made three points:

- 1) The MAPC plan has over \$2 billion for roads and highways. This information is from a May of 2000 news letter.
- 2) Wichita growth into other districts means hundreds of new students would need classrooms.
- 3) A conservative plan would eliminate the forced sale of private property for roads, etc. Less growth means less property needed for projects and citizens would not be forced to sell property.

UNFINISHED BUSINESS

LICENSE REVOCATION REVOCATION OF ESCORT LICENSE.

This Item was pulled from the Agenda.

NEW BUSINESS

LICENSE REVOCATION REVOCATION OF PAWNBROKER'S LICENSE ISSUED TO WICHITA DIRECT, L.P. (District III)

This Item was pulled from the Agenda.

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WATER SYSTEM

PETITION TO CONSTRUCT A WATER DISTRIBUTION SYSTEM TO SERVE AN AREA SOUTH OF 55TH STREET SOUTH, WEST OF BROADWAY. (District IV)

Mike Lindebak

City Engineer reviewed the Item.

Agenda Report No. 00-0653.

The signatures on the Petition represent 78 of 128 (60.9%) owners and 56.5% of the improvement district area. A June 7, 2000, meeting of District Four Advisory Board was held to discuss the Petition.

The improvement district is predominantly residential in character. Area residents report that the well water is poor quality.

The estimated project cost is \$505,000 with \$450,000 assessed to the improvement district and \$55,000 paid by the Water Utility. The Utility share is for the cost of over-sizing the pipe to serve future development beyond the improvement district. The proposed method of assessment is the square foot basis. The estimated rate of assessment is \$00.15 per square foot of ownership.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard.

Shirley Bunch

Shirley Bunch said some of the signers of the petition felt they were misinformed and that they were signing for information for rural water. Many of the residents in the area cannot afford city water. There were also many invalid signatures on the petition.

Mike Lindebak

City Engineer explained that only valid petition signatures were included in figure totals.

Pam Doffing

Pam Doffing, petition circulator, said a majority of the people in the area do want water and new streets. It is understood that it would be more economical to install the water lines first.

Motion --
-- carried

Gale moved that the Petition be approved and the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a design engineer. Motion carried 7 to 0.

RESOLUTION NO. R-00-264

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89486 (south of 55th Street South, west of Broadway) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Gale moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

IRB NMF AMERICA

PUBLIC HEARING AND ISSUANCE OF INDUSTRIAL REVENUE BONDS – NMF AMERICA, INC. (District II)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 00-0654.

On August 24, 1999, City Council approved a Letter of Intent to issue IRBs in the amount of \$5 million, and approved a 100% five-plus-five year property tax abatement to NMF America, Inc. The Council also approved a grant for \$267,800 which was used to acquire a site near Jabara Airport. Construction has begun on a 40,000 square foot manufacturing plant. The company is now requesting the IRBs to finance the construction and equipping of the plant.

NMF America, Inc. is a leader in the aerospace niche market of wing skin manufacturing, with annual sales of \$20 million. NMF America, Inc. manufacturing process involves the forming and finishing of aluminum wing panels used in the manufacture of business and regional jets, primarily for the Bombardier line of aircraft. NMF's decision to come to the Wichita area was motivated in large part by Bombardier's desire to have this prime sub-contractor located closer to what has become an important production center for Bombardier. They were also motivated by the opportunity to develop business relationships with the other aircraft manufacturers located in Wichita. The Company plans to employ at least 100 workers at the Wichita plant within the first five years of operation.

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Bonds will be underwritten by Stifel, Nicolaus & Company, Inc. and publicly reoffered to private investors. NMF America, Inc. agrees to comply with the City's requirements contained in the Standard Letter of Intent Conditions prior to final issuance of the bonds.

Wichita State University previously conducted a cost-benefit analysis on the financial impact of this project which included its impact on USD 259. It was subsequently determined that actual project site is located in USD 375. It was necessary to recalculate the cost-benefit analysis and reapprove the tax abatement following a public hearing. The results of the recalculation show ratios as follows: City – 1.67; Sedgwick County – 1.40; USD 375 – 1.15; and State of Kansas – 3.49.

Federal and State laws governing the issuance of tax-exempt bonds and granting of property tax exemption require a public hearing be held prior to final approval of the bonds and tax exemption, following publication of a notice of public hearing. A notice has been published for a public hearing on this matter for July 11, 2000. The company has asked the City to hold the hearing at this time and scheduled first reading of the bond ordinance for one week later.

NMF America, Inc. agrees to pay all costs of issuing the bonds and agrees to pay the City's \$2,500 annual IRB administrative service fee for the term of the bonds. The City Council has approved a 100% tax abatement of ad valorem property taxes on the expansion project.

Bond documents have been prepared by Hinkle & Elkouri, bond counsel for the project. The City Attorney's Office will review and approve the final form of bond documents prior to the issuance of any bonds.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --
-- carried

Pisciotta moved that the public hearing be closed; the property tax abatement and documents be approved; the issuance of bonds be authorized. Motion carried 7 to 0.

MINI CITYHALLS

FINANCING FOR NEIGHBORHOOD SERVICE CENTERS.

Chris Cherches

City Manager reviewed the Item.

Agenda Report No. 00-0655.

On March 23, 1999, the City Council approved the establishment of Neighborhood Service Centers, at (4) four locations: Atwater, Colvin, Evergreen, and Aley/Stanley. The four centers already house significant City services and serve as a focal point for citizen involvement. The newly created District Advisory Boards (DABs) hold meetings at these four locations and the centers are staffed by Neighborhood Assistants. Additionally, branch health stations are located at Colvin, Evergreen, and Aley/Stanley and recreational staff are assigned to each of the four locations.

The Colvin and Aley/Stanley facilities are combined community and elementary educational facilities. Both locations operate branch libraries that serve the public and the school children. Community Education Coordinators are located at Colvin, Aley/Stanley, Northeast Magnet School, (Atwater Center is utilized when possible), and Hadley Middle School (Evergreen Center is utilized when possible).

The four centers represent a substantial community investment and one that offers an effective, practical way to provide convenient public services. The facilities contain gymnasiums, meeting and office space, health stations (except for Atwater), and public libraries (in two facilities). Currently the space is underutilized (except for Colvin) and needs to be renovated to accommodate the added City staff and the area residents. The proposed renovations would enable these four centers to become "Mini-City Halls."

The concept for "Mini-City Halls" was approved by the City Council on March 23, 1999. City Council authorization included approval of funding for staffing assistance, architectural services and building modifications. On March 30, 1999, the Council authorized architectural services for all four Centers. In other Council actions additional Community Development Block Grant (CDBG) funds were approved to defray the cost of the renovation work.

Architectural services for space design are nearly complete. All four Centers will have space for District Advisory Board meetings and office space for assigned Staff. Additionally, each center will have an information desk (staffed by a clerical person) to provide a central access and reception point for facility services. The "Mini-City Halls" will include computer stations for use by area residents and work stations for other City services.

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Modifications at Colvin and Evergreen are more complex with Colvin requiring a building addition to the facility to accommodate the multitude of needs by area residents. The proposed plans for Evergreen include significant modifications for both health and administrative services. The work planned at Aley/Stanley and Atwater is of lesser scope, but will include renovations which will make the buildings more accessible to area residents.

2000-2001 CSBG and CDBG funding has been approved by the City Council for the operations and renovations of the neighborhood centers.

Council Member Lambke Council Member Lambke said he would like to eventually see Mini City Halls in each district.

Mini City Hall buildings should be centrally located to provide access to a majority of the people in the district. The location of the Colvin Center is at the edge of District III, is hard to find, and a number of people have indicated they would not utilize that building. U.S.D. 259 also owns the Colvin site and the Board of Education could decide the City could no longer use Colvin as a Mini City Hall.

Discussion was had and consensus of the City Council was favorable to having locations in every district in the future.

Mayor Knight Mayor Knight inquired whether anyone wished to be heard.

Sen. Paul Feleciano Senator Feleciano said he had received many telephone calls from constituents urging continuance of the Mini City Hall effort at Colvin.

Senator Feleciano spoke regarding the significance and uniqueness of Colvin, and asked, on behalf of the citizens of the area, that the City Council proceed with architectural plans.

Rep. Gwen Welshimer Representative Welshimer spoke regarding the many services presently available at Colvin and urged approval of Colvin as the site for a Mini City Hall.

Dr. Toni Pickard Dr. Toni Pickard said Planeview is a friendly neighborhood with hardworking, highly family-oriented residents. A very high percentage of residents in the Planeview area have no family vehicle and the Colvin site would allow them access to City Hall. Diversity is an issue. The City Council was urged to retain the proposed plan.

Karen Smith Karen Smith said Colvin is hard to find, hard to access, and does not have adequate parking. Other areas in the quadrant should be considered.

Marge Zakora-Vaughn Marge Zakora Vaughn spoke in favor of the Colvin site and said additional signage is needed for all of the proposed Mini City Hall locations.

Motion -- Knight moved that the Center locations be affirmed and Staff be authorized to proceed with bids for renovation and construction work as proposed. Motion carried 6 to 0. Lambke – no.
-- carried

2002 BUDGET

PRESENTATION - PROPOSED 2001-2002 ANNUAL OPERATING BUDGET.

Chris Cherches City Manager introduced the Item.

To building on the City's existing firm foundation, the Mayor, City Council, and others have expressed the belief that the operating and capital budgets should:

- sustain the continued development of the City,
- reinvest in the City's infrastructure to serve the current and future needs,
- target resources in ways that are demonstrably beneficial for the entire community,
- serve priorities and needs identified by the community (in the citizen surveys) so City services are responsive to the public, and
- address major needs, such as preserving public safety, making critical capital investments, and providing effective maintenance and upkeep to the City's assets.

Ray Trail Director of Finance reviewed the proposed budget.

- The total 2001 proposed budget (all funds) is \$309,960,840, a 7 percent decrease from the 2000 revised budget of \$331,719,399. The 2002 projected budget totals \$309,508,640.

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- General Fund expenditures of \$148,833,030 are proposed in 2001, a 3% increase over the 2000 revised budget.
- The 2001 proposed budget does not include a mill levy increase.
- The 120 commissioned positions and 16 support positions added with the Public Safety Initiative are fully sustained in 2001 without grant funding.
- Continued development of E-government is supported, including on-line vendor registration, bid submission, invoice submission, and invoice payment.
- To continue enhanced street maintenance, an additional \$12 million is included annually. Also, a \$1.2 million supplement is provided for "catch-up" building maintenance.
- Street maintenance will be bolstered with an additional maintenance crew.
- Maintenance of public landscaping will be improved with the addition of a park maintenance crew in 2001.
- The budget continues to provide for the extended library hours and funds a bookmobile in 2001 to reach under-served residents.
- To ensure that fleet services are provided and utilized in the most economical manner, a comprehensive fleet study is underway.
- Anticipating the need for multiple fire station moves to sustain efficient response to calls, \$6 million has been allocated to relocate fire stations, in addition to 10 new firefighters in 2002.
- Both a water rate and sewer rate increase of 5% will be required in 2001 to fund capital needs of the utilities. An increase of five cents per ERU is included to address specific storm water "hot spots."
- A new public safety information system is included to facilitate record sharing and desktop retrieval of police and court records. The system utilizes bar coding, imaging, and scanning technology.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion -- carried

Knight moved that the comments be taken under advisement. Motion carried 7 to 0.

CONDEMNATIONS

REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES.

Kurt Schroeder

Superintendent of Central Inspection reviewed the Item.

Agenda Report No. 00-0657.

On May 16, 2000 a report was submitted with respect to the dangerous and unsafe conditions of the buildings located on six (6) properties. The Council adopted a resolution providing for a public hearing to be held on these condemnation actions at 11:00 a.m. on July 11, 2000.

On May 2, 2000, the Board of Code Standards and Appeals (BCSA) held hearings on the following properties:

<u>Property Address</u>	<u>Council District</u>
1) 2115 West Walker	IV
2) 141 North Glenn	IV
3) 1515 North Madison	I
4) 2501 North Broadway	VI
5) 646 North Baehr	IV
6) 2689 South Vassar	III

Pursuant to State Statute the Resolutions were duly published twice on May 17th and May 24th, 2000. A copy of each resolution was sent by certified mail or given personal service delivery to the owners and lien holders of record of each described property.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

Knight moved that the public hearing be closed, recommended action be taken, the Resolutions declaring the building(s) dangerous and unsafe structures be adopted, the staff recommended time frame to alleviate the findings be approved and any extensions of time granted to repair the structures would be conditioned on the following: (1) any back taxes now due are to be paid and taxes kept current, (2) the structures are to be kept secured, and (3) the premises are to be kept mowed and free of debris; if any of these conditions are not met, staff is directed to proceed to let for bids to demolish the structure; and the City Clerk be instructed to have the Resolution published once in the official city paper and advise the owners of these findings. Motion carried 7 to 0.

-- carried

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RESOLUTION NO. R-00-265

A Resolution finding that the structure located on: East 90' of Lots 1, 3, 5, Everett Ace, Stiles and Smiths Addition to Wichita, Sedgwick County, Kansas, commonly known as 2115 West Walker, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Cole moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-266

A Resolution finding that the structure located on land described as: Lots 7 and 8, Block 7, Martinson's Seventh Addition to Wichita, Sedgwick County, Kansas, commonly known as 141 North Glenn, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Cole moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-267

A Resolution finding that the structure located on land described as: Lots 127 and 129, Madison avenue, Logan Addition to Wichita, Sedgwick County, Kansas, commonly known as 1515 North Madison, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Cole moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-268

A Resolution finding that the structure located on land described as: Lots 41, 43, 45, and 47 on Broadway, Garland Brook Addition to Wichita, Sedgwick County, Kansas, commonly known as 2501 North Broadway, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Cole moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-269

A Resolution finding that the structure located on land described as: the south 25 ft. of the west 112 ft. of Lot 23, block 1, Orchard park Addition to Wichita, Sedgwick County, Kansas, commonly known as 646 North Baehr, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Cole moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-270

A Resolution finding that the structure located on land described as: Lot 14, Block 1, Planeview Sub-division #1, being a sub-division in Section 2, Township 28 South Range 1 east of the Sixth P.M., Addition to Wichita, Sedgwick County, Kansas, commonly known as 2689 South Vassar, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Cole moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

CITY COUNCIL AGENDA

FIREWORKS ORD.

REVIEW OF FIREWORKS ORDINANCES. (REQUESTED BY COUNCIL MEMBER LAMBKE)

Council Member Lambke

Council Member Lambke said each Fourth of July brings increasing problems with illegal fireworks. The problem may be inadequate laws or lack of enforcement.

Mayor Knight

Mayor Knight said that if the laws are unenforceable, perhaps new ordinances are needed. The City could also say that under no circumstances will fireworks be allowed, with the exception of those permitted for public programs.

Council Member Cole

Council Member Cole stated that, in 1999, a door-to-door leaflet safety campaign was successful and education might help. The whole issue does need to be discussed again.

Council Member Cole momentarily absent.

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Council Member Rogers Council Member Rogers said there is no logical reason for fireworks of any kind within the City limits.

Mayor Knight Mayor Knight inquired whether anyone wished to be heard.

Bob Thompson Chief Thompson said the enforcement needs to be fixed.

Gerald Lintecum Gerald Lintecum, pyrotechnics specialist, said he would like to work with the Fire Department on trying to develop a good program. Everyone is trying to fix the problem. People and groups in the fireworks business are trying to make the situation as good as possible.

Marge Zakora-Vaughn Marge Zakora-Vaughn said the problem is wide-spread and people who suffer from fireworks problems often suffer with increased insurance premiums.

Consensus of the City Council was that this matter be referred to the District Advisory Boards to see whether the issue should be pursued.

Council Member Lambke Council Member Lambke stated that he would like to have strategies in place before the next Fourth of July.

APPOINTMENTS

BOARD/COMMISSION APPOINTMENTS.

Motion -- Cole appointed Bob Schreck to Access Management Task Force and move that the appointment be approved.
-- carried Motion carried 7 to 0.

Motion -- Pisciotte appointed Alice James to Comprehensive Plan Committee and moved that the appointment be approved.
-- carried Motion carried 7 to 0.

Motion -- Martz appointed Fran Hoggatt to Comprehensive Plan Committee and moved that the appointment be approved.
-- carried Motion carried 7 to 0.

Council Member Pisciotte Council Member Pisciotte asked that composition of the Comprehensive Plan Committee be included in the City Council Minutes as follows:

Number of Members

6
6
2
9

Source

(1) One from each City Council District Advisory Board
(1) One from each County District and One (1) County at-large
MAPC members
At-large appointments by Mayor and County Commission Chair
(To be made after all other appointments are made to give balance to the Committee.)

CONSENT AGENDA

Knight moved that the Consent Agenda, except Item 21 and including Addendum Item 31b, be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED JULY 10, 2000.

Bids were opened June 30, 2000, and July 7, 2000, pursuant to advertisements published on:

Paving - 2000 contract maintenance pedestrian bridge replacement at Gilbert and Mansfield over Gypsum Creek - Gilbert & Mansfield. (/132650/) Traffic to be maintained during construction using flagpersons and barricades. (District II)

Wildcat Construction - \$64,700.00

Lateral 4, Main 2, Cowskin Interceptor Sewer to serve Auburn Hills 10th Addition - south of Maple, east of 135th Street West. (468-113/743842 /480530) Does not affect existing traffic. (District V)

Nowak Construction - \$9,789.00

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Lateral 33, Main 24, War Industries Sewer to serve the Clubhouse Villas at Legacy Park Wilson Estates south of 21st Street North, west of Webb. (468-83119/743843/480531) Does not affect existing traffic. (District II)

Nowak Construction - \$59,032.00

Regency Park from the north line of 26th Street North to the west line of Lot 6 Block 1; 26th Street North from the west line of Greenwich Road to the west line of Regency Park, and; 26th Street North Circle from the west line of Regency Park serving Lots 8, 9, and 10, Block 1, to and including the cul-de-sac to serve Regency Park Addition - north of K-96, west of Greenwich. (472-83186/765621/490732) Does not affect existing traffic. (District II)

Central Paving - \$279,607.20

Water distribution system to serve Auburn Hills 10th Addition - south of Maple, east of 135th Street West. (448-89478/734973/470643) Does not affect existing traffic. (District V)

Nowak Construction - \$6,359.00

Water distribution system to serve the Clubhouse Villas at Legacy Park Wilson Estates - south of 21st Street North, west of Webb. (448-89483/734974 /470644) Does not affect existing traffic. (District II)

Jayhawk Contractors - \$28,211.00

Water distributions system to serve Shelly's Orchard Addition - north of Pawnee, east of Maize. (448-89236/734965/470635) Does not affect existing traffic. (District V)

Mies Construction - \$58,000.00

Water distribution system to serve Byron and Byron Court, Woodland-Westfield Second Addition - north of Maple, west of Tyler. (448-89453/734959/470629) Does not affect existing traffic. (District V)

Mies Construction - \$22,422.50

Storm Water Sewer No. 527 to serve Highland Springs Second Addition - west of 135th Street West, south of Central. (468-83033/751287/485178) Does not affect existing traffic. (District V)

Wildcat Construction - \$206,884.00

Limuel from the north line of the plat, south to and including the cul-de-sac to serve Auburn Hills 10th Addition - south of Maple, east of 135th Street West. (472-83242/765638/490749) Does not affect existing traffic. (District V)

Kansas Paving Company - \$33,755.50

119th Street West Water Supply Line, Phase 1 - 119th Street West, Mickey to Maple. (448-89435/633716/750557) Traffic to be maintained during construction using flagpersons and barricades. (District V)

Wildcat Construction - \$110,128.00

Ralph Wulz Riverside Tennis Center, Court #1 Reconstruction, Phase 1 to serve Ralph Wulz Riverside Tennis Center - north of Central, east of Seneca. (472-83240/785015/391147) Does not affect existing traffic. (District VI)

John Henzel Tennis - \$49,700.00 (Correction)

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

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WATER & SEWER DEPARTMENT/WATER DISTRIBUTION DIVISION: Uniforms. (184804, 183327 and 183111)

Industrial Uniform Co., Inc. - \$12.00 (Item 1/per each)
\$12.50 (Item 2/per each)
\$12.95 (Item 3/per each)
\$ 9.50 (Item 4/per each)
\$11.75 (Item 5/per each)
\$10.50 (Item 6/per each)
\$12.20 (Item 7/per each)
\$11.30 (Item 8/per each)
\$10.40 (Item 9/per each)
\$18.25 (Item 10/per each)
\$11.25 (Item 11/per each)
\$58.50 (Item 12/per each)
\$25.25 (Item 13/per each)
\$18.75 (Item 14/per each)
\$37.00 (Item 15/per each)
\$22.10 (Item 16/per each)
\$12.95 (Item 17/per each)
\$39.00 (Item 18/per each)
\$21.00 (Item 19/per each)
\$35.00 (Item 20/per each)
\$12.45 (Item 21/per each)
\$12.45 (Item 22/per each)
\$10.75 (Item 23/per each)
\$ 2.00 (Item 24/per each)
\$ 2.00 (Item 25/per each)
\$ 2.25 (Item 26/per each)
\$ 1.00 (Item 27/per each)
No Charge (Item 28/per each)
20% (Item 29/per each)

WATER & SEWER DEPARTMENT/SEWER MAINTENANCE DIVISION: Cement Mix for Manhole Rehabilitation. (620096)

Utility Maintenance Contractors, LLC - \$17,000.00 (Total net bid)

VARIOUS DEPARTMENTS/NA DIVISION: Lubricating Oil, Gear Oil, Grease, Transmission Fluid and Oil Analysis. (130849)

Universal Lubricants, Inc. - \$2.17 (Item 1/per gallon)
\$2.29 (Item 2/per gallon)
\$2.29 (Item 3/per gallon)
\$2.22 (Item 4/per gallon)
\$5.00 (Item 5a/per gallon)
\$2.39 (Item 5b/per gallon)
\$2.45 (Item 5c/per gallon)
\$5.75 (Item 6a/per gallon)
\$2.69 (Item 6b/per gallon)
\$2.69 (Item 6c/per gallon)
\$2.29 (Item 7a/per gallon)
\$2.29 (Item 7b/per gallon)
\$3.34 (Item 8a/per gallon)
\$2.54 (Item 8b/per gallon)
\$1.74 (Item 9a/per gallon)
\$.38 (Item 10a/per pound)
\$.48 (Item 10b/per pound)
\$.75 (Item 11a/per pound)
\$.71 (Item 12a/per pound)
\$.75 (Item 12b/per pound)
\$.76 (Item 12c/per pound)
No Charge (Item 13/per each)

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HEALTH DEPARTMENT: Lab Tests and Collection Kits. (141069)

Gen-Probe - \$ 42.00 (Item 1/per package)
\$ 42.00 (Item 2/per package)
\$226.00 (Item 3/per kit)
\$147.00 (Item 4/per kit)
\$ 25.00 (Item 5/per kit)
No Charge (Item 6/per package)
\$ 30.00 (Item 7/per kit)
\$ 30.00 (Item 8/per kit)
\$ 50.00 (Item 9/per kit)
\$ 50.00 (Item 10/per kit)

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: Installation of Exterior Wall System at City Arts. (792310)

Farha Construction Inc. - \$22,233.00 (Lump sum total)
\$ 2,706.00 (Option 1/lump sum total)

HOUSING SERVICES DEPARTMENT/PUBLIC HOUSING DIVISION: Janitorial Services for Various Wichita Housing Locations. (097001)

Givens Cleaning Contractors Inc. - \$550.00 (Group I/Item 1 per month)
\$850.00 (Group I/Item 2 per month)
\$125.00 (Group I/Item 3 per month)
\$125.00 (Group I/Item 4 per month)

Dawson Cleaning Service - \$240.00 (Group II/Item 1 per month)
\$240.00 (Group II/Item 2 per month)

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

LICENSES

APPLICATION FOR LICENSE FOR ADULT ENTERTAINMENT ESTABLISHMENTS/SERVICES:

Renewal - Adult Entertainment

David A. Cherry	Kansas Video Corp dba Video Adventure	2726 North Amidon
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Motion carried Knight moved that the license be approved subject to Staff approval. Motion carried 7 to 0.

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal</u>	<u>2000</u>	<u>(Consumption on Premises)</u>
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Daryl Moren	Club Billiards*	925 West Douglas
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(Consumption off Premises)

David Bullington	Wal-Mart Supercenter #1507	3030 North Rock Road
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<u>Special Event</u>	<u>July 20-23, 2000</u>
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Mark A. Schrag	Buy. Com Wichita Open	8001 East Mulberry
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*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion carried Knight moved that the licenses be approved subject to Staff approval. Motion carried 7 to 0.

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PLANS AND SPECS.

PLANS AND SPECIFICATIONS:

a. Pawnee and Oliver intersection reconstruction to provide left turn lanes on Oliver - Pawnee and Oliver. (87N-0092-01/472-82910/706800/634725/208255/544127) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 06/23/1998 (District III)

Motion --

Knight moved that the Plans and Specifications be approved and advertised for bids to be submitted to the Board of Bids and Contracts by 10:00 a.m. August 18, 2000. Motion carried 7 to 0.

PRELIMINARY ESTS.

PRELIMINARY ESTIMATES:

a) Northeast Water Transmission Facility, Phase 2B - Woodlawn to Rock Road, south of 21st Street North. (448-89466/632541/750214) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$1,139,650

b) Storm Water Sewer No. 534 to serve Great Plains Business Park Second Addition - east of Oliver, south of 37th Street North. (468-83068/751284/485175) Does not affect existing traffic. (District I) - \$120,000

c) 36th Street North from the east line of Lot 7, Block 1 to the west line of Ridgewood, and on Ridgewood from the south line of 37th Street North to the south line of 36th Street North Great Plains Business Park Second Addition -east of Oliver, south of 37th Street North. (472-83187/765618/490729) Does not affect existing traffic. (District I) - \$285,000

d) Seneca from 30th Street South to Crawford - Seneca between 31st Street South and Pawnee. (472-83084/706778/200236) Two-way traffic to be maintained during construction using flagpersons and barricades. (District IV) - \$1,725,500

e) 2000 contract maintenance pedestrian bridge replacement at Gilbert and Mansfield over Gypsum Creek – Gilbert & Mansfield. (/132650/) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$84,800

f) Lateral 4, Main 2, Cowskin Interceptor Sewer to serve Auburn Hills 10th Addition - south of Maple, east of 135th Street West. (468-83113/743842/480530) Does not affect existing traffic. (District V) - \$16,000

g) Lateral 33, Main 24, War Industries Sewer to serve the Clubhouse Villas at Legacy Park Wilson Estates south of 21st Street North, west of Webb. (468-83119/743843/480531) Does not affect existing traffic. (District II) - \$98,700

h) Regency Park from the north line of 26th Street North to the west line of Lot 6 Block 1; 26th Street North from the west line of Greenwich Road to the west line of Regency Park, and; 26th Street North Circle from the west line of Regency Park serving Lots 8, 9, and 10, Block 1, to and including the cul-de-sac to serve Regency Park Addition - north of K-96, west of Greenwich. (472-83186/765621/490732) Does not affect existing traffic. (District II) - \$526,500

i) Water distribution system to serve Auburn Hills 10th Addition - south of Maple, east of 135th Street West. (448-89478/734973/470643) Does not affect existing traffic. (District V) - \$18,000.00

j) Water distribution system to serve the Clubhouse Villas at Legacy Park Wilson Estates - south of 21st Street North, west of Webb. (448-89483/734974/470644) Does not affect existing traffic. City Council approval date: 06/13/2000. (District II) - \$51,200

Motion -- carried

Knight moved that the Preliminary Estimates be approved and filed. Motion carried 7 to 0.

DEEDS/EASEMENTS

DEEDS AND EASEMENTS:

a) Drainage easement dated May 1, 2000, from Cinemas Associated, a Kansas General Partnership for a tract of land in SE 1/4 of Sec. 21, Twp. 27S, R-2-E of the 6th P.M., Sedgwick County, Kansas (Private Project - OCA #607861). No cost to City.

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- b) Sanitary sewer easement dated June 19, 2000, from Builders, Inc. for a tract of land in Lot 1, Eastwood Park Addition, Wichita, Kansas (War Industries Phase III Relief Sewer - OCA #623306). No cost to City.
- c) Temporary easement dated June 19, 2000, from Builders, Inc. for a tract of land in Lot 1, Eastwood Park Addition, Wichita, Kansas (War Industries Phase III Relief Sewer - OCA #623306). No cost to City.

Motion -- carried

Knight moved that the documents be received and filed. Motion carried 7 to 0

STATEMENTS OF COST STATEMENTS OF COST:

- a) Improving 32nd Street North, from the east line of Coolidge to the west line of Porter - north of 29th Street North, west of Seneca. Total Cost - \$98,761.84 (plus idle fund interest - \$936.66, plus temporary note interest - \$4,531.50). Financing to be issued at this time - \$104,230.00. (765479/472-83020/490-649).
- b) Improving Maywood from the east line of Seneca to 112 feet east of Southwind to serve South Seneca Gardens Third Addition - south 47th Street South, east of Seneca. Total Cost - \$185,669.28 (plus idle fund interest - \$8,239.72, plus temporary note interest - \$4,950.00). Financing to be issued at this time - \$198,859.00. (765388/472-82995/490-640).
- c) Improving Northridge Court serving Northridge Lake Patio Homes Addition - north of 21st Street North, east of Tyler Road. Total Cost - \$177,672.21 (plus idle fund interest - \$3,137.65, plus temporary note interest - \$10,578.14). Financing to be issued at this time - \$191,388.00. (765551/472-83065/490-662).
- d) Improving Rita, Stony Point Lane, Stony Point Circle and Jewell Court in Lindsay's Orchard Addition - north of Pawnee, west of Maize Road. Total Cost - \$165,264.62 (plus idle fund interest - \$1,427.48, plus temporary note interest - \$7,705.90). Financing to be issued at this time - \$174,398.00. (765567/472-83058/490-678).
- e) Improving landscaping Bradley Fair to serve Webb Road Commercial Addition and Unplatted Tracts - south of 21st Street North, east of Rock Road. Total Cost - \$332,233.92 (plus idle fund interest - \$10,400.96, plus temporary note interest - \$29,275.12). Financing to be issued at this time - \$371,910.00. (764582/472-82912/490-587).
- f) Improving 43rd Street South, 4Fourth Street South, Richmond and Richmond Court in the Legacy Addition -west of Meridian, south of MacArthur. Total Cost - \$288,537.13 (plus idle fund interest - \$5,380.80, plus temporary note interest - \$10,780.07). Financing to be issued at this time - \$304,698.00. (765592/472-83118/490-703).
- g) Improving 19th Street North, from the east line of Wabash to the west line of Ohio to serve Meekin's, Harvey's and Beacon Additions - east of Broadway, south of 21st Street North. Total Cost - \$43,906.82 (plus idle fund interest - \$1,393.18, plus temporary note interest - \$1,100.00). Financing to be issued at this time - \$46,400.00. (765574/472-83082/490-685).
- h) Improving Pepper Ridge from the south line of Lot 12, Block 5, to the north line of Lot 23, Block 5; Forest Park from the east line of Pepper Ridge to the west line of Lot 1, Block 3, Forest Lakes West Addition - north of 29th Street North, east of Tyler Road. Total Cost - \$195,286.97 (plus idle fund interest - \$9,152.03, plus temporary note interest - \$5,225.00). Financing to be issued at this time - \$209,664.00. (765587/472-82871/490-698).
- i) Improving 151st Street West from the north line of US 54, north to the north line of Hendryx, Reece Farms Estates and Auburn Hills Fifth Addition - north of Kellogg, east of 151st Street West. Total Cost - \$196,708.81 (plus idle fund interest - \$4,529.37, plus temporary note interest - \$9,771.82). Financing to be issued at this time - \$211,010.00. (764944/472-82904/490-596).
- j) Improving Parkdale, Central Park, Ryan and Parkdale Courts in Evergreen Addition - west of Maize Road, north of 21st Street North. Total Cost - \$270,693.07 (plus idle fund interest - \$18,390.93, plus temporary note interest - \$0). Financing to be issued at this time - \$289,084.00. (765596/472-83133/490-707).

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- k) Improving Sunnyside from the east line of Chautauqua to the west line of Lorraine; Lorraine from the north line of Orme to the north line of Sunnyside to serve Sunnyside Village Addition - south of Kellogg, west of Hillside. Total Cost - \$83,574.25 (plus idle fund interest - \$3,299.25, plus temporary note interest - \$2,337.50). Financing to be issued at this time - \$89,211.00. (765569/472-83081/490-680).
- l) Improving Meadow Pass, Pepper Ridge, and Meadow Pass Courts in Northridge Lakes Addition - east of Tyler Road, south of 29th Street North. Total Cost - \$273,426.94 (plus idle fund interest - \$15,797.06, plus temporary note interest - \$0). Financing to be issued at this time - \$289,224.00. (765605/472-82890/490-716).
- m) Improving 27th Street South from the east line of Custer to the west line of St. Paul, Wichita Builders Third and Builders Fourteenth Additions - north and south of 27th Street South, west of Meridian. Total Cost - \$65,193.74 (plus idle fund interest - \$2,713.76, plus temporary note interest - \$1,787.50). Financing to be issued at this time - \$69,695.00. (765591/472-83099/490-636).
- n) Improving Shadow Lakes, High Point, Shady Lane, High Point Court and sidewalks in Oak Ridge Second Addition - north of 29th Street North, east of Tyler Road. Total Cost - \$199,771.17 (plus idle fund interest - \$3,986.13, plus temporary note interest - \$9,258.70). Financing to be issued at this time - \$213,016.00. (765581/472-82833/490-692).
- o) Improving East First Street Circle from the east line of Jackson to and including the cul-de-sac, Garden Meadows Addition - north of Douglas, west of 127th Street East. Total Cost - \$65,452.46 (plus idle fund interest - \$2,616.04, plus temporary note interest - \$1,787.50). Financing to be issued at this time - \$69,856.00. (765572/472-83060/490-683).
- p) Improving Parkridge, Blake, Cardington, Haskell and sidewalk in Hunters Ridge and Pawnee Mesa Additions - north of Pawnee, west of Maize Road. Total Cost - \$327,386.21 (plus idle fund interest - \$3,589.09, plus temporary note interest - \$14,806.70). Financing to be issued at this time - \$345,782.00. (765577/472-83088/490-688).
- q) Improving Moscelyn, Threewood, Lynndale, Fivewood, Sandwedge, Fawnwood, Fivewood Court, Fivewood Circle, Sandwedge Court, Sandwedge Circle, Fawnwood Court and sidewalk in Auburn Hills Fifth Addition - north of Kellogg, east of 151st Street West. Total Cost - \$730,068.39 (plus idle fund interest - \$2,428.58, plus temporary note interest - \$55,307.03). Financing to be issued at this time - \$787,804.00. (765008/472-82903/490-602).
- r) Improving Lockwood from the east line of Seneca to the west line of Southwind to serve South Seneca Gardens Third Addition - south of 47th Street South, east of Seneca. Total Cost - \$203,739.40 (plus idle fund interest - \$9,118.60, plus temporary note interest - \$5,500.00). Financing to be issued at this time - \$218,358.00. (765206/472-82980/490-622).
- s) Improving traffic signal to serve the intersection of Anna and Maple, Towne West Square Second and Jenkins Fourth Additions. Total Cost - \$105,295.09 (plus idle fund interest - \$4,750.41, plus temporary note interest - \$2,887.50). Financing to be issued at this time - \$112,933.00. (710214/472-83130/410-076).
- t) Improving Third Street from the west line of Florence to the west line of West Street to serve Masterbilt, McPherson, Loyd and Parkwilde Additions - south of Central, west of West Street. Total Cost - \$73,941.17 (plus idle fund interest - \$3,469.33, plus temporary note interest - \$2,062.50). Financing to be issued at this time - \$79,473.00. (765222/472-82979/490-624).
- u) Improving Second Street from the east line of Hoover to the west line of Flora, and from the east line of Flora to the west line of Elder to serve Fruitvale Park and Westbreeze Additions - south of Central, east of Hoover. Total Cost - \$93,338.59 (plus idle fund interest - \$4,315.91, plus temporary note interest - \$2,612.50). Financing to be issued at this time - \$100,267.00. (765214/472-82978/490-623).
- v) Improving Forestview from the west line of Angela to 294 feet east Angela including Forestview Court and Forestview Circle and Angela from the south line of Forestview to 165 feet south of Forestview - north of Maple, east of 135th Street West. Total Cost - \$86,835.81 (plus idle fund interest - \$3,532.69, plus temporary note interest - \$2,337.50). Financing to be issued at this time - \$92,706.00. (765565/472-83022/490-676).

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w) Improving Hoover from the south line of First Street to the north line of Second Street to serve Westbreeze Addition and Unplatted Tracts - south of Central, east of I-235. Total Cost - fund interest - \$3,518.41, plus temporary note interest - \$2,475.00). Financing to be issued at this time - \$95,651.00. (765566/472-83066/490-677).

Motion -- carried

Knight moved that the Statements of Cost be approved and filed. Motion carried 7 to 0.

SANITARY SEWER

PETITION TO CONSTRUCT A SANITARY SEWER TO SERVE PART OF HANBARDT ADDITION – WEST OF HOOVER, SOUTH OF HARRY. (District V)

Agenda Report No. 00-0659.

The Petition has been signed by one owner representing 100% of the improvement district.

This project will provide sanitary sewer service to a commercial property.

The Petition totals \$20,000. The funding source is special assessments.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-271

Resolution of findings of advisability and Resolution authorizing construction of Lateral 458, Southwest Interceptor Sewer, (west of Hoover, south of Harry) 468-83125, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

IMPROVEMENTS

PETITION AND CHANGE ORDER FOR BOARDWALK AND UTILITY SERVICE LINES TO SERVE PROPERTIES ON MEAD, BETWEEN DOUGLAS AND FIRST STREET. (District VI)

Agenda Report No. 00-0660.

On August 26, 1997, the City Council approved a project to reconstruct Mead between Douglas and First. A construction Contract with Cornejo and Sons was approved on January 11, 2000.

As work progressed on the project, staff and two of the owners of property along Mead determined that six water and sewer service connection lines should be extended under the traveled portion of the street so that it would not need to be torn up in the future when these service connection lines are extended to adjacent buildings. The six service connections each cost \$2,100.

In addition to the six water and sewer extensions, it was also necessary to reconstruct a storm sewer inlet and repair an existing storm sewer line at a cost of an additional \$2,100.

Included with the Change Order for the above-described utility work is a project to construct a boardwalk along property owned by David Burk. Mr. Burk submitted a Petition in the amount of \$53,300 to cover both the cost of the boardwalk work (including construction and engineering expenses) and three of the six water and sewer extensions that will serve properties he owns. His signature represents 100% of the improvement district.

A Change Order to authorize the additional work has been prepared. The Change Order includes the six water and sewer extensions, the storm sewer modifications and the proposed boardwalk construction.

The cost of the storm sewer work will be paid by the Mead project budget and will be paid 50% by the City at-large and 50% by special assessments to adjacent properties. The cost of three of the six water and sewer extensions will be paid by special assessments to Mr. Burk's properties. The cost of the remaining three water and sewer extensions will be paid by the Water and Sewer Utility Funds and will be recouped through plumbing permit fees when future connections are made.

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The total construction cost of the additional work is \$56,143, and will be paid as follows:

Mead Project Budes (50% General Obligation, 50% Special Assessments)	\$ 2,100
Burk Petition (100% Special Assessments)	47,743
Water Utility Fund	4,200
Sewer Utility Fund	<u>2,100</u>
	\$ 56,143

The Change Order amount is within 25% of the construction Contract cost limit set by City Council policy.

Motion --
-- carried

Knight moved that the Petition and change order be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-272

Resolution of findings of advisability and Resolution authorizing construction of a Mead Street Boardwalk and utility service lines (on Mead, between Douglas and First Street) 472-83250, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

BOARDS MINUTES

MINUTES OF ADVISORY BOARDS/COMMISSIONS:

Wichita Area Planning Commission, 4-27-2000
Wichita Area Planning Commission, 5-11-2000
Wichita Area Planning Commission, 5-25-2000
Wichita Employees' Retirement System, 5-24-2000
District I Advisory Board, 6-05-2000
District II Advisory Board, 6-05-2000
District III Advisory Board, 6-06-2000
District V Advisory Board, 6-05-2000
District VI Advisory Board, 6-05-2000
Wichita-Sedgwick County Board of Health, 6-08-2000
Deferred Compensation Board of Trustees, 6-08-2000
Board of Park Commissioners, 6-12-2000
Board of Electrical Appeals, 6-13-2000

Motion -- carried

Knight moved that the Minutes be received and filed. Motion carried 7 to 0.

(Item No. 21)

STREET CLOSURES

CONSIDERATION OF STREET CLOSURES/USES – SPECIAL EVENT.

Chris Cherches

City Manager reviewed the Item.

Agenda Report No. 00-0687

In accordance with the Special Events Procedure, event sponsors are to notify adjacent property owners and coordinate arrangements with Staff, subject to final approval by the City Council.

The following street closure requests have been submitted.

Buy.Com Wichita Open – Willowbend Golf Club – July 20-23

Street Closures: Mulberry Street at Rock Road to Terra Circle
5:00 a.m. – 7:00 p.m. daily

Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

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Motion --

Knight moved that the request be approved subject to: (1) Event Sponsors notifying every property and/or business adjoining any portion of the closed street; (2) Coordination of event arrangements with City Staff; (3) Hiring off-duty public safety officers as required by the Police Department; (4) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Departments; (5) Submitting a Certificate of Insurance evidencing general liability insurance which covers the event and its related activities, including the naming of the City as an additional insured with respect to the event's use of the closed City streets.

-- carried

Motion carried 7 to 0.

LAWSUIT PAYMENT

SETTLEMENT OF LAWSUIT.

Agenda Report No. 00-0661.

Plaintiffs brought an action alleging violations of the Americans with Disabilities Act.

After evaluating the merits of the claims asserted and considering the risks and costs of trial, the City determined that a resolution of this matter was appropriate. After some discussion, the City has been offered an opportunity to resolve the litigation with some modifications and a lump sum payment of \$15,000 as full settlement of all claims. Because of the risks associated with litigation, the Law Department recommends acceptance of the offer.

Funding for this settlement payment is from the Tort Liability Fund.

Motion -- carried

Knight moved that the settlement be approved. Motion carried 7 to 0.

RAILROAD

CITY/STATE AGREEMENT FOR RAILROAD GRADE SEPARATIONS. (Districts III and VI)

Agenda Report No. 00-0662.

On May 25, 1999 the City Council approved an Agreement with the Kansas Department of Transportation (KDOT) that allowed the use of Federal TEA-21 funds to construct railroad separation projects in Wichita/Sedgwick County.

The 1999 Kansas Legislature passed a Comprehensive Transportation Program. Fifty million dollars of that program is earmarked for railroad grade separation projects in Wichita.

The amended City/State Agreement will allow the fifty million dollars to be passed to the City of Wichita in the same manner as the Federal TEA-21 funds.

Motion --

-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

HIGHLAND SPRINGS

SUPPLEMENTAL AGREEMENT FOR STAKING SERVICES FOR HIGHLAND SPRINGS SECOND ADDITION – WEST OF 135TH STREET WEST, SOUTH OF CENTRAL. (District V)

Agenda Report No. 00-0663.

The City Council approved the project on September 28, 1999. On June 6, 2000, the City approved an Agreement with Baughman Company, P.A. to design the improvements. The Design Agreement with Baughman requires Baughman to provide staking services if requested by the City.

The proposed Supplemental Agreement between the City and Baughman provides for staking services for the improvements in Highland Springs 2nd Addition. Due to the current workload created by previous projects, City crews are not available to perform staking for this project.

Payment will be on a lump sum basis of \$18,300, and will be paid by special assessments.

Motion --

-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

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KANSAS GAS SERVICE RELOCATION OF UTILITIES - 21ST STREET NORTH, WEST OF WEBB ROAD. (District II)

Agenda Report No. 00-0664.

On May 16, 2000, the City Council approved the Legacy Park Wilson Estates Addition plat and corresponding documents. Resolution R-00-224 authorized improving decel and left turn lanes in 21st Street North from the north west corner of Lot 1, Block 1, Project No. 472-83231 (south of 21st Street, west of Webb). Utilities will need to be relocated as a part of this project.

Estimated costs to relocate Kansas Gas Service lines are \$31,833. Funds are available in the project to provide for utility relocation costs. The funding source is Special Assessments.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

KGE RELOCATION OF UTILITIES - WEBB ROAD, SOUTH OF 21ST STREET NORTH. (District II)

Agenda Report No. 00-0665.

On May 16, 2000, the City Council approved the Legacy Park Wilson Estates Addition plat and corresponding documents. Resolution R-00-225 authorized improving decel and left turn lanes in Webb Road from a point 80' north of the south Lot line of Lot 3, Block 1 to a point 300' south of Wilson Estates Parkway, Project No. 472-83232 (south of 21st Street, west of Webb). Utilities will need to be relocated as a part of this project.

The estimated cost to relocate KGE facilities is \$14,530.54. Williams Gas Pipeline must also relocate, at an estimated cost of \$80,800.

Funds are available in the project to provide for utility relocation costs. The funding source is Special Assessments.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

NE SOCCER COMPLEX CHANGE ORDERS FOR NORTHEAST SOCCER COMPLEX – WEST OF GREENWICH, SOUTH OF 29TH STREET NORTH. (District II)

Agenda Report No. 00-0666.

On November 16, 1999, the City Council approved a project to construct a parking lot at the new Northeast Soccer Complex. It is one part of the development plan for the Complex. The next phase of construction included a pedestal to hold a large donated sculpture. The donor requested that the construction schedule be advanced so the artwork could be in place for this summer's dedication. In addition, it was determined that electrical conduit for future parking lot lighting should be installed under the parking lot to eliminate the necessity to cut the asphalt at a later date.

Change Orders have been prepared that authorize the additional work. Funding is available within the project budget.

The total cost of the additional work is \$39,428. The funding source is General Obligation Bonds.

The Change Order amounts are within 25% of the construction Contract cost limit set by City Council policy.

Motion -- carried

Knight moved that the change order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

STORMWATER INFLOW AND INFILTRATION SUPPLEMENTAL AGREEMENT. (District II)

Agenda Report No. 00-0667.

Inflow and infiltration (I&I) of stormwater and groundwater into the City sanitary sewer system has resulted in sewer backups into basements, treatment of excessive amounts of sewage, high treatment costs, and overloaded

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sanitary sewer lines. The Sewer Response Plan identified I&I as a primary contributor to sewer backups in the City. Additionally, the Plan identified manholes and line segments in need of repair, as well as illegal connections of sump pumps and stairwell drains, which contribute to I&I. On January 6, 1998, the City Council approved funding for an I&I Removal Program to aid in the elimination of I&I sources. Specific recommendations made as part of the Sewer Response Plan will be implemented by this project.

George Butler and Associates (GBA), as part of the Contract for the Sewer Response Plan, investigated several sites where excessive I&I was evident. The Stockyards area, 21st Street between Broadway and Washington, was identified as a project meeting criteria of the I&I Removal Program. GBA was asked to provide alternative approaches to resolve the I&I; however, this is not in the Scope of Services of the Sewer Response Plan and requires a Supplemental Agreement.

Funding for Supplemental Agreement #2 in an amount not to exceed \$23,000 is contained in Capital Improvement Program (CIP# S-338), which has a budget of \$500,000. The project will be funded from Water Utility revenues and reserves, or a future revenue bond issue.

Motion --
-- carried

Knight moved that the Agreement be approved; the Resolution be adopted; and the Notice of Intent to Publish be authorized. Motion carried 7 to 0.

RESOLUTION No. R-00-273

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend, and enlarge the water and sewer utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$500,000, exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight

HOUSING

APPLICATION FOR SECTION 8 VOUCHERS FOR PERSONS WITH DISABILITIES.

Agenda Report No. 00-0668.

On February 24, 2000, HUD issued a Notice in the Federal Register that the Secretary of HUD had set aside \$50.25 million for the Mainstream Housing Opportunities Program for persons with disabilities. The Secretary established the Mainstream Housing Opportunities for Persons with Disabilities Program to provide rental Vouchers to enable persons with disabilities to rent affordable private housing of their choice. A segment of the population recognized by HUD's Housing research as having the worst case housing need in the U.S. were the "Very Low" income households with adults with disabilities. This Mainstream Program will require Housing Authorities to assist eligible persons with disabilities in locating and obtaining accessibility to affordable housing on the private market.

The Wichita Housing Authority has approximately 2,000 applicants on the current Section 8 waiting list. Approximately 30% are elderly or persons with disabilities. Approval and financial assistance for 75 additional Vouchers are justified in the application to HUD. If the application is approved by HUD, 75 Vouchers will expand the Mainstream Program to 150 allocations. The application due date to HUD is July 18, 2000.

On June 15, 2000, the BOHC unanimously approved submittal of the application.

The additional 75 vouchers will produce approximately \$2,000,000 in HAP payments over the five year period. The Housing Authority will also earn administrative fees of approximately \$36,000 annually. The City of Wichita will not have additional financial obligations to support the Vouchers.

Motion --
-- carried

Knight moved that the preparation and submittal of application to HUD for 75 Vouchers for persons with disabilities be approved and the necessary signatures be authorized. Motion carried 7 to 0.

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HOUSING

SECTION 8 HOMEOWNERSHIP PROGRAM.

Agenda Report No. 00-0669.

The Quality Housing and Work Responsibility Act of 1998, otherwise known as the 1998 Housing Reform Act, included amendments to the 1937 Housing Act which will allow Housing Authorities to use Section 8 vouchers to assist eligible program participants to become homeowners. HUD has issued proposed regulations to implement a Section 8 Homeownership option as provided by these amendments.

The Board of Housing Commissioners have reviewed and approved the concept, and requested that staff develop the necessary amendments to the Administrative Plan. A copy of a new proposed section, incorporating the Section 8 Homeownership Option into the Administrative Plan, has been provided. There may be additional minor technical changes to other sections, as necessary, to make those sections consistent with the Homeownership Program.

The regular Section 8 program provides assistance in the form of a voucher to pay a portion of a low-income family's rent. Under the HUD Section 8(y) program, families can be assisted with the purchase of a home through assistance that can be applied to the family's regular mortgage payment. It is the purpose of this program to encourage homeownership among families which meet Section 8 income guidelines, but who may not otherwise be able to move from tenancy to ownership. The availability of these assistance payments helps the family pay the costs of homeownership, and may provide additional assurance for a lender, so that the family can finance the purchase of the home.

This program can be used in conjunction with the HOMEownership 80 program, the Affordable Housing Program funded by the Federal Home Loan Bank, or other homeownership assistance programs.

The Housing Department will implement this program in two stages. During stage one the homeownership option will be made available to families who are current participants in the Section 8 Voucher and Certificate rental assistance programs. During stage two, the Section 8 Homeownership Assistance Program will be made available as an option at the time a family is eligible from the wait list.

Participation in this program will be voluntary and would be limited by minimum income (varies with family size) and employment requirements (one year). Only first-time homebuyers would qualify; each participant would be required to complete a homeownership training class.

Each home purchased under this program would have to pass housing quality standards, would have a separate inspection by a private housing inspector, and if repairs are needed, they would have to be completed by the seller. In addition, homebuyers would be required to participate in the Maintenance Reserve Program to receive the Section 8 assistance.

Except for elderly or disabled participants, the assistance would be limited to seven years. The amount of assistance to be provided would be calculated on a formula similar to the one currently used for the Section 8 Voucher Program. Payments would be made to the tenant to be applied toward the mortgage payment. The lending institution would be required to notify the Housing Authority should the family not make its mortgage payments. Continued assistance would be conditional on the family's occupancy of the home as its principal residence.

Since HUD has not issued final regulations, staff has requested authority to implement the program as a "demonstration program" pending issuance and compliance with final regulations when issued.

The Housing Authority will earn administrative fees on the same basis as under the Section 8 Rental Voucher program.

Motion --
-- carried

Knight moved that the revisions to the Administrative Plan to allow for implementation of the voucher assistance for home ownership be approved. Motion carried 7 to 0.

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CIP CONSOLIDATION CAPITAL IMPROVEMENT PROJECT CONSOLIDATION. (District II)

Agenda Report No. 00-0670.

On March 21, 2000, the City Council authorized Staff to install a water main in Webb Road from ¼ mile south of 45th St. N. to 45th St. N. (CIP W-817) and to install a water main in Webb Road from 45th St. N. to 53rd St. N. (CIP W-818).

Public Works is recommending that these two projects be combined into one contract.

The total CIP budget will not be changed by combining CIP W-817 and CIP W-818.

City Council approval is required for any change to the Capital Improvement Program.

Motion -- Knight moved that Staff be authorized to combine the two projects by deleting CIP W-817 with a budget of
-- carried \$320,000 and transferring the amount to W-818. Motion carried 7 to 0.

IRB-RIVERSIDE HOSP. IRB - AUTHORIZATION TO JOIN IN EXEMPTION APPLICATION – RIVERSIDE HOSPITAL FACILITIES REVENUE BONDS.

Agenda Report No. 00-0671.

Riverside Hospital facilities financed by City of Wichita IRBs were recently placed on the tax rolls by the County. These facilities were financed with Hospital Facilities Revenue Bonds issued by the City of Wichita in 1999. Tax exemption is being sought based on ownership and use of the facilities by Riverside Health Systems, Inc. (a 501(c)(3) organization), for exempt purposes. Riverside Health Systems has requested the City join in the application, to enable the application to go forward.

Under the IRB Lease that covers the facilities, the City of Wichita acknowledged that Riverside would seek exemption for the property based on its 501(c)(3) status, and agreed to reasonably cooperate to prevent any assessment that might be threatened with respect to the property. Because of the IRB financing, the City, rather than Riverside, has title to the facilities and must, therefore, formally join in the application in order for the exemption to be approved.

The exemption will affect the City's tax base. However, had the facilities been financed without IRB's, they likely would have been exempted due to their hospital use and ownership.

Motion -- Knight moved that the joinder in Riverside's application for exemption for the Riverside Hospital facilities
-- carried financed by City of Wichita Hospital Facilities Improvement Revenue Bonds be approved and the necessary
signatures be authorized. Motion carried 7 to 0.

IRB-THE VYNE IRB - PURCHASE OPTION – THE VYNE AT CRESTVIEW, L.L.C. (District V)

Agenda Report No. 00-0672.

On October 17, 1995 the Wichita City Council approved the issuance of \$2.5 million in Industrial Revenue Bonds, Series VIII, 1995. Bond proceeds were used to acquire vacant land located at Central and 127th Street East and to construct, furnish and equip an assisted living facility. The Bonds are secured, in part, by a Lease Agreement with The Vyne at Crestview, L.L.C. ("Tenant").

Under the provisions of the Lease Agreement the Tenant has the option, if all outstanding bonds and Trustee Fees have been paid, to purchase the facility from the City of Wichita for the sum of \$1,000. The City received notice from the Tenant of a request to call outstanding bonds and of the company's intention to exercise its purchase option on or after July 20, 2000.

Under the terms of the Lease, the City is required to convey the personal property securing the IRB issue to the Tenant, once the Tenant has paid the purchase price and other considerations as listed under the provisions of the Lease Agreement, including the payment of all outstanding bonds. The Bonds will be finally paid roughly 30 days after closing on the reconveyance, but will be defeased by cash escrow before the City's deed is delivered.

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The purchase price is \$1,000 and other considerations as listed under the provision of the Lease Agreement to redeem and retire all outstanding bonds. This price includes without limitations, principal, interest, redemption premium, and all other expenses of redemption, and trustee fees, but after the deduction of any amounts described and provided for in the Lease Agreement and available for such redemption.

The City is contractually bound to convey the IRB Project property to the Tenant by special warranty deed, once all the conditions established in the Lease have been met.

Motion --
-- carried

Knight moved that the documents be approved; the necessary signatures be authorized, and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-278

A Resolution of the City of Wichita, Kansas, approving the sale of a certain project financed with the proceeds of taxable Industrial Revenue Bonds of the City; approving the call and early redemption of said taxable Industrial revenue Bonds; authorizing the execution and delivery of (1) a Special Warranty Deed, (2) a Bill of Sale, (3) a termination and release of lease, and (4) a Satisfaction, Discharge and Release of Indenture, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

SANITARY SEWER

PUBLIC EXIGENCY PROJECT – SANITARY SEWER REPLACEMENT. (District I)

Agenda Report No.00-0673.

In the easement between Belmont and Broadview, north of Central, there is a sanitary sewer line in need of immediate attention. The tap connections for 517 N. Belmont and 519 N. Belmont are defective and causing problems for the homeowners. A television inspection performed on June 22nd verified the condition of the connections. The pipe is in poor condition and could crumble when disturbed by excavation to replace the connections. The pipe condition, combined with an easement full of mature trees, fences, and landscaped areas, presents a circumstance where a simple point repair could result in a costly project.

The recommendation is to line the sanitary sewer with cured-in-place liner prior to making point repairs to replace the defective tap connections. This would allow the point repairs to be less disruptive and assure a good connection to new pipe. Insituform Technologies, Inc., the only local pipe lining company, has been contracted to do the improvements for \$24,080. The City Manager approved proceeding with the project on June 27, 2000.

Capital Improvement Program (CIP #S-4), Reconstruction of Sanitary Sewers, has a budget of \$3,000,000 for 2000. This repair will be funded from Sewer Utility Revenues and Reserves and/or a future revenue bond issue.

City Ordinance 2.64.020, "Public Exigency," authorizes the City Manager to approve work to be performed by a contractor without formal bidding.

Motion -- carried

Knight moved that approval of the project be affirmed. Motion carried 7 to 0.

(Addendum Item No. 31b)
PROPERTY DISP.

SALE OF PROPERTY AT 2201-221 EAST KELLOGG.

Agenda Report No. 00-0686

As part of the Kellogg Flyover project, the City acquired the seven-story transient lodging facility at 221 East Kellogg commonly known as the Family Inn. It also acquired the former Budget Rent-a-Car site at 201 East Kellogg. Both properties are currently vacant. These have been listed for sale under an exclusive broker listing since September 1999. Prior to that, the properties were included in a Request for Proposal that was mailed to several hundred potential buyers. This process has produced several potential purchasers, one of which is Paul Winger. Mr. Winger has owned and operated a variety of properties for over 30 years. The company's experience includes both renovation and new construction. Currently they own several multi-family properties in the Wichita area.

Mr. Winger has offered \$1,200,000 for the Family Inns and Budget facilities. The buyer is required to renovate and reopen the facility as a franchised lodging facility within two years of acquisition. Redevelopment plans and franchise affiliation are subject to review and approval by the City. The City will work with the buyer to develop a

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deceleration lane at the entrance to the hotel and to acquire the two privately held parcels west of the hotel. The buyer and seller will split closing and title costs. The City will be responsible for a six- percent sales commission.

The City will receive cash consideration from the transaction. After the sale, the property will remain on the tax rolls.

Motion -- carried

Knight moved that the sale be approved and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 19 DRURY LANE FOR THE EAST KELLOGG IMPROVEMENT PROJECT. (District II)

Agenda Report No. 00-0674.

In October of 1998, staff was instructed to pursue opportunity purchases in the Kellogg corridor. Opportunity purchases arise when an owner contacts the City and indicates a willingness to sell their property. The owners of 19 Drury Lane, Terry and Kay Bachus, have expressed an interest in selling this property to the City. The site contains 12,350 square feet and is improved with a 2,070 square foot brick, ranch-style single family residence. The property has three bedrooms and two baths. The planned expansion of Kellogg will require the removal of the improvements and utilization of the entire site.

The property was appraised at \$134,000. The owner has located an acceptable replacement dwelling that is currently available for \$179,000 and has agreed to accept this amount. Early acquisition will avoid future relocation and moving expenses. The property appears to be in good condition with no deferred maintenance noted. The residence will be leased until it is needed for the highway project.

The Capital Improvement Program includes funds for opportunity acquisitions. The funding source will be General Obligation Bonds. A budget of \$185,000 is requested. This includes \$179,000 for the acquisition, \$5,000 for demolition and \$1,000 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 9208 WEST KELLOGG FOR THE WEST KELLOGG/TYLER AND MAIZE HIGHWAY IMPROVEMENT PROJECT. (District V)

Agenda Report No. 00-0675.

In November 1999, the City Council approved Ordinance 44-429 authorizing funding for the Kellogg/Tyler & Maize Highway project. This approval allowed the City to initiate acquisition of total acquisitions. One such property is located at 9208 West Kellogg and is owned by Lloyd and Karen Harp and the Believers Southern Baptist Church. The site contains 50,000 square feet and is improved with a 2,784 square foot trailer sales and service facility.

The property appraised for \$252,000. The owner provided documentation indicating that the revenues in the appraisal were understated. Utilizing the additional information provided a value of between \$300,000 and \$320,000. The owner has agreed to sell the property for \$300,000. Do to the nature of the improvements and timing of the project, the site will be cleared when the owner vacates.

Funds have been budgeted in the 2000 Capital Improvement Program. The funding source will be Local Sales Tax revenues. A budget of \$327,000 is requested. This includes \$300,000 for the acquisition, \$20,000 for relocation, \$5,000 for demolition and \$2,000 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

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JOB TITLE REVISIONS REVISIONS TO JOB TITLES - PERSONNEL.

Agenda Report No. 00-0676.

Review of position classifications is an ongoing process for the City. With changes in services provided and in the way departments and work programs are organized, positions need to be created/or modified accordingly. To the extent practical, it is desirable to have job titles that best reflect the actual duties of positions.

Changes to certain jobs and titles to better describe the nature of the jobs and to adopt more current job descriptions. The recommended changes are as follows:

Existing Titles to be deleted

Assistant Director of Airport Operations
Neighborhood Services Director
Neighborhood Center Supervisor
Recreation Director
Superintendent of Parks
Chief Maintenance Officer

Proposed Title

Assistant Director of Airports
Career Development Director
Career Development Supervisor
Parks & Recreation Superintendent
Parks & Recreation Superintendent

The reason for proposed changes to the Neighborhood Services Director & Center Supervisor are due to the separation of this division from the Neighborhood Centers.

Changes are also recommended for the following new titles, ranges or upgrades to various positions.

<u>New Title</u>	<u>Range</u>	<u>Justification</u>
Air Service Development Director	113	position created to be responsible for development & expansion of airport services
Resource Analyst	117	position created to provide inspection and enforcement of City Code governing storm water pollution control
Epidemiologist I	117	position created to support communicable disease control function of Health Department.
Epidemiologist II	113	position created to support communicable disease control function of Health Department.
Superintendent of Transportation	114	Restructured to accommodate increased level of responsibility.
City Clerk		upgrade from range 118 to range 116
Golf Course Manager		upgrade from range 114 to range 113
Helicopter Mechanic		upgrade from range 624 to range 627

Changes to Airport, Parks & Recreation, Health and Career Development titles have no impact on wages or salaries. Changes in Transit and Public Works will be absorbed within 2000 Budget.

Motion -- carried

Knight moved that the changes be approved and the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance establishing position classifications for employees of the City of Wichita and prescribing pay rates by reference to position classifications in the schedule of pay ranges repealing Ordinance No. 44-335, introduced and under the rules laid over.

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ORDINANCES

SECOND READING ORDINANCES: (FIRST READ JUNE 27, 2000)

- a) Maple Street improvement between 119th Street West and Maize Road. (District V)

ORDINANCE NO. 44-672

An Ordinance amending Ordinance No. 42-248 of the City of Wichita, Kansas, declaring Maple Street, from Maize Road to 119th Street West (472-83092) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- b) Z-3308 - southeast corner of Rock Road and Bradley Fair Parkway. (District II)

ORDINANCE NO. 44-673

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. Z-3308

- c) Z-3316 – Plaza Central Office Park Second Addition.

ORDINANCE NO. 44-674

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. Z-3316.

- d) SCZ-0734 - southwest corner of 29th Street North and Greenwich. (District II)

ORDINANCE NO. 44-675

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. SCZ-0734.

- e) DR00-06 - request for a street name change. (District III)

ORDINANCE NO. 44-676

An Ordinance changing the name of St. Francis to Greenway Circle, as platted in the Bell's Replat of part of Reserve A, in Purcells Fourth Addition, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

PLANNING AGENDA

Marvin Krout

Director of Planning stated that Items 35-40 could be considered as consensus Items unless the Council desired to withhold other items.

Motion --
-- carried

Knight moved that Planning Agenda Items 35-40 be approved as consensus Items.
Motion carried 7 to 0.

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VAC-2202

VAC-2202 – VACATE A PORTION OF TWO TWENTY-FOOT UTILITY EASEMENTS LOCATED AT THE SOUTHWEST CORNER OF 1ST STREET NORTH AND WEBB ROAD. (District II)

Agenda Report No. 00-0677.

Staff Recommendation: Approve vacation of a portion of two 20-foot utility easements.

MAPC Recommendation: Approve vacation of a portion of two 20-foot utility easements. (unanimous)

The applicant is requesting to vacate sections of two 20-foot utility easements for future development on this site. An alternate easement was submitted by the applicant for sewer and utilities. All other conditions have been met.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Motion --
-- carried

Knight moved that having reviewed the recommendation of the MAPC and in accordance with Policy 10, the Vacation Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

VAC 2000-00017

VAC 2000-00017 – VACATE A SIXTEEN-FOOT UTILITY EASEMENT GENERALLY LOCATED AT THE SOUTHEAST CORNER OF ELM AND GILDA. (District V)

Agenda Report No. 00-0678.

Staff Recommendation: Approve vacation of a 16-foot utility easement.

MAPC Recommendation: Approve vacation of a 16-foot utility easement. (unanimous)

The applicant is requesting to vacate a 16-foot utility easement so that he may develop this site.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Motion --

Martz moved that this Item be referred to District V Advisory Board. Motion carried 7 to 0.

VAC 2000-00021

VAC 2000-00021 – VACATE A PORTION OF A RESERVE FOR USE AS A TRASH PORT GENERALLY LOCATED SOUTH OF 21ST STREET NORTH AND EAST OF WEBB. (District II)

Agenda Report No. 00-0679.

Staff Recommendation: Approve vacation to a portion reserve for use as a trash port.

MAPC Recommendation: Approve vacation of a portion reserve for use as a trash port. (unanimous)

The applicant is requesting to vacate a portion of a platted reserve for use as a trash port for the adjoining residential lot.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Motion --
-- carried

Knight moved that having reviewed the recommendation of the MAPC and in accordance with Policy 10, the Vacation Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

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DED 2000-14

DED 2000-14 – DEDICATION OF UTILITY EASEMENT FROM AMERICAN POSTAL WORKERS UNION LOCAL 735 FOR PROPERTY LOCATED EAST OF RIDGE ROAD, NORTH OF HARRY.
(District V)

Agenda Report No. 00-0680.

Staff Recommendation: Accept the Dedication.
MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of Lot Split No. SUB 2000-40 and is being dedicated for the purpose of construction and maintenance of public utilities.

The Dedication has been reviewed and approved by the Planning Commission.

Motion --

Knight moved that the dedication be received and filed. Motion carried 7 to 0.

S/D 99-76

S/D 99-76 PLAT OF DULING ADDITION LOCATED ON THE NORTHWEST CORNER OF 119TH STREET WEST AND 21ST STREET NORTH. (District V)

Agenda Report No. 00-0681.

Staff Recommendation: Approve the plat.
MAPC Recommendation: Approve the plat. (10-0)

A zone change (Z-3331) from SF-20, Single-Family Residential to LC, Limited Commercial has been approved for this site subject to platting. The plat is also subject to a Protective Overlay addressing permitted uses and signage.

Petitions, 100%, have been submitted for municipal water, sewer and paving improvements. A Certificate of Petitions have also been submitted. A Protective Overlay Certificate was provided identifying the approved Protective Overlay. As required by the drainage plan for this site, a cross-lot drainage agreement has been provided.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. Publication of the ordinance should be withheld until such time as the Plat is recorded with the Register of Deeds.

The Certificate of Petitions and Protective Overlay Certificate will be recorded with the Register of Deeds.

Motion --

Knight moved that the Plat and documents be approved; the necessary signatures be authorized; the Ordinance Z-3331 be placed on first reading, with publication of the ordinance being withheld until such time as the Plat is recorded with the Register of Deeds; and the Resolution be adopted. Motion carried 7 to 0.

-- carried

RESOLUTION NO. R-00-275

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89477 (north of 21st Street, west of 119th Street West) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-276

Resolution of findings of advisability and Resolution authorizing construction of Lateral 455, Southwest Interceptor Sewer (north of 21st Street, west of 119th Street West) Project No. 468-83114, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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RESOLUTION NO. R-00-277

Resolution of findings of advisability and Resolution authorizing improving of a raised median in 21st Street North, Project No. 472-83243 (north of 21st Street, west of 119th Street West), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, introduced and under the rules laid over. Z-3331

S/D 99-78

S/D 99-78 PLAT OF HARRISON INDUSTRIAL ADDITION LOCATED ON THE WEST SIDE OF BROADWAY, NORTH OF 45TH STREET NORTH. (District VI)

Agenda Report No.00-0682.

Staff Recommendation: Approve the plat.
MAPC Recommendation: Approve the plat. (9-0)

This plat is zoned LI, Limited Industrial and GI, General Industrial and is located within three miles of Wichita's City limits. The site is currently served with an on-site sewage system and no additional services are required. The site is served with public water by Park City. A joint access easement has been submitted to provide for shared access between the lots.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The joint access easement will be recorded with the Register of Deeds.

Motion --
-- carried

Knight moved that the Plat and document be approved and the necessary signatures be authorized. Motion carried 7 to 0.

(Agenda Item No. 41)
**ZON 2000-00017,
CUP 2000-00014,
CUP2000-00014, AND
DP-242**

ZON 2000-00017 – ZONE CHANGE FROM “NR” NEIGHBORHOOD RETAIL TO “LC”: LIMITED COMMERCIAL (PARCEL 2); ZON 2000-00018 – ZONE CHANGE FROM “NR” NEIGHBORHOOD RETAIL TO “LC” LIMITED COMMERCIAL (PARCEL 8); CUP 2000-00014 – AMEND DP-242, RIDGE CENTER CUP TO ALLOW “LC” LIMITED COMMERCIAL USES AND SIGNAGE ON PARCELS 2 AND 8, LOCATED ON THE SOUTHWEST CORNER OF 37TH STREET NORTH AND RIDGE ROAD.

Marvin Krout

Director of Planning reviewed the Item.

Agenda Report No. 00-0683.

MAPC Recommendation: Approve the zone change (ZON2000-00017) to “LC” Limited Commercial, approve the zone change (ZON2000-00018) to “LC” Limited Commercial, and approve DP-242 Ridge Centre Amendment #1, subject to conditions (6-4).

Staff Recommendation: Deny zone change to “LC” Limited Commercial, but approve the use of animal care, limited for Parcel 2.

Approve the zone change to “LC” Limited Commercial for Parcel 8 but restrict the “LC” uses to those permitted in “NR” zoning..

Approve the amendment to Community Unit Plan, subject to conditions.

The applicant is requesting an amendment to DP-242 Ridge Centre Community Unit Plan located at the southwest corner of Ridge Road and 37th Street North and zone changes for Parcel 2, a 0.9 acre tract, and Parcel 8, a 1.2 acre tract, to “LC” Limited Commercial. According to the applicant, there is a proposed veterinary clinic for Parcel 2 and a strip center for Parcel 8.

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Ridge Centre C.U.P. was approved May 26, 1999. The applicant had requested "LC" zoning for all nine parcels of the C.U.P. However, MAPC recommended and the Board of County Commissioners approved "NR" Neighborhood Retail, restricted to "GO" General Office use, for four of the nine parcels, including the two parcels submitted for rezoning in this request. The parcels approved for "LC" were situated closest to the intersection of Ridge and 37th Street North. The "NR" parcels were restricted to "GO" uses, and served as a buffer for the Big Slough, the lake, and the projected residential uses to the west from the more intense commercial uses being allowed at the intersection. DP-245 Catamaran Cove C.U.P. is the C.U.P. immediately to the west. It includes the Big Slough and the lake, and is approved for multi-family development.

The applicant has requested all uses permitted in the "LC" district for Parcels 2 and 8 except the following exclusions: residential uses, public uses except daycare, pawnshops, secondhand stores, taverns night clubs, drinking establishments or adult entertainment.

The applicant had proposed no changes to signage, setbacks, access control, landscaping, or architectural standards when the application was filed. However, at the MAPC meeting the applicant requested signage for Parcel 2 and Parcel 8 be amended to signage as permitted in "LC", but subject General Provision #5 that limits freestanding signs to 20 feet in height and monument style.

Ridge Centre is in a rapidly changing corridor. One recently approved development is DP-237 Ridgeport North C.U.P. to the east, which is under development with a medical office and is approved for a new medical facility for Via Christi. DP-250 Starwest C.U.P. was approved for the northwest corner of 37th and Ridge. Pending applications include DP-253 Kaylor C.U.P. just north of Starwest, and DP-252 Paragon C.U.P. just south of K-96. Additionally, single-family and multi-family housing is being developed closer to 29th Street North, and Catamaran Cove was approved for multi-family use immediately west of Ridge Centre.

With the volume of potential development along Ridge, floodplain issues have become a major concern. This is an area impacted by the floodway of the Big Slough. Currently, a master basin study is being prepared for the area along the Big Slough from 21st Street North to 45th Street North.

At the MAPC meeting held June 15, 2000, MAPC voted (6-4) to approve the requests. Several commissioners expressed opposition to rezoning the parcels to "LC" because it reversed the CUP conditions established one year before, and it reduced the buffering by office and neighborhood retail uses between residential uses and the intensive commercial uses allowed at the intersection. One citizen said she felt drainage and flooding issues along the Big Slough should be resolved prior to development. Another citizen expressed opposition to rezoning Parcel 8 to "LC."

Motion -- carried

Martz moved this Item be referred to District V Advisory Board. Motion carried 7 to 0.

(Agenda Item No. 42)
TRANSPORTATION

UPDATE OF COMPREHENSIVE PLAN AND TRANSPORTATION PLAN.

Marvin Krout

Director of Planning reviewed the Item.

Agenda Report No. 00-0684.

MAPC Recommendation: Adopt the plan amendments as submitted (8-3).

The Metropolitan Area Planning Commission (MAPC) conducted an extensive review of the Comprehensive Plan for Wichita and Sedgwick County, which was adopted in 1993 and last amended in 1996, and of the long-range transportation plan, which was adopted in 1994. The MAPC, with the assistance of the Planning Department, contracted with WSU to project population and employment, sponsored a mini-conference, hosted "stakeholder" meetings, conducted a mail-out opinion survey, circulated five editions of a newsletter, and held numerous town hall meetings and public hearings in an effort to obtain community input on planning issues.

The MAPC adopted major amendments to these plans on March 16, 2000, and officially presented these amendments to the Wichita City Council and Sedgwick County Commission at a workshop on April 11, 2000. The two governing bodies have had several workshops since that time discussing the proposed amendments, and appear to have reached a consensus to approve the plans as recommended by the MAPC, subject to some language changes. The governing bodies have also identified a number of issue areas that require further review and discussion. Most of these issues would be appropriate for review by a broad-based citizen advisory committee that is expected to be appointed in the near future. One issue area that was not previously raised in discussions on the Comprehensive Plan would be referred back to the MAPC for their consideration.

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Adoption of the Comprehensive Plan does not obligate the City or County to make any capital improvements; the plan is only a guide to future decision-making. If the governing bodies decide to fund consultants to help understand issues related to financing community development and facilitate meetings of the Advisory Committee, staff will return with a proposed scope of services, recommended consultant, and cost estimate for that study.

State statute requires that a Comprehensive Plan be adopted by a locality and regularly reviewed in order to regulate land subdivisions. The Comprehensive Plan or amendments to the plan must be adopted by the governing body after the local planning commission has held an advertised public hearing and submitted its recommendations. The governing body can adopt the recommended plan by a majority vote, but may only modify recommendations submitted by the MAPC, on first consideration, by a 2/3 vote.

The federal government requires the adoption of a long-range transportation plan by the "Metropolitan Planning Organization" (MPO) in order to remain qualified to receive federal grant funds for surface and air transportation. The MAPC is officially designated as the MPO for Sedgwick County, and they have met this obligation by adopting the 2030 Transportation Plan. However, in order to meet the statutory requirement, and to avoid confusion as to what is the official plan, it is important for the governing bodies to act on the MAPC recommendations.

Council Member Cole Council Member Cole spoke against the plan and said the plan will not help the inner-city neighborhoods. Older neighborhoods will lose more to new construction in the suburbs. A Comprehensive Plan Task Force, formed after adoption of the Plan, may never have its work reflected in the Plan.

Council Member Pisciotte Council Member Pisciotte urged Council approval of the Plan and a common-ground stand.

Motion -- Pisciotte moved that the amendments to the Comprehensive and Transportation Plans be adopted, subject to language changes; the Ordinance be placed on first reading; the issues regarding agricultural preservation techniques, large lot subdivisions and financing of community development be referred to a citizen advisory committee; Staff be directed to seek consulting services to assist the Advisory Committee; and question of notification of property owners of subdivision plats be referred to the MAPC for consideration. Motion carried 6 to 1. Cole -- no.

-- carried

ORDINANCE

An Ordinance improving certain amendments to the 1993 Wichita-Sedgwick County Comprehensive Plan, introduced and under the rules laid over.

AIRPORT AGENDA

AIRPORT IMP.

GRANT AGREEMENT – AIRPORT IMPROVEMENT PROGRAM.

Agenda Report No. 00-0685.

On May 23, 2000 the City Council approved a grant application in the amount of \$885,563.00 for airport improvements.

The Grant Agreement is based upon consultation between the FAA and Airport Staff and is an appropriate use of FAA entitlement funds.

The Grant Agreement of \$885,563.00 will be used for the projects listed in the grant application: snow sweeper/blower equipment, runway "1R/19L" shoulder blast pad rehabilitation, baggage claim area fence, airfield electrical vault improvements, and terminal apron rehabilitation. Matching funds of 10% will be met through the Passenger Facility Charges.

Motion -- Knight moved that the Grant Agreement be accepted and the necessary signatures be authorized. Motion carried 7 to 0.

-- carried

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EXECUTIVE SESSION

Motion -- Knight moved that the City Council recess to executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending litigation, legal advice, contract negotiations, and confidential data relating to financial affairs or trade secrets of a business; and the City Council return from executive session no later than 1:30 p.m. Motion carried 7 to 0.

-- carried

RECESS The City Council recessed at 12:20 p.m. and returned at 1:25 p.m.

Mayor Knight Mayor Knight announced that no action was necessary as a result of the executive session.

RECESS The City Council recessed at 1:25 p.m. and reconvened at 7:00 p.m.

Wichita, Kansas, July 11, 2000
Tuesday, 7:00 p.m.

The City Council met in recessed session at the Sedgwick County Extension Center, 7001 West 21st Street North, 7:00 p.m. Mayor Knight in the Chair. Council Members Cole, Gale, Lambke, Martz, Pisciotte; present.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

A 99-37

A 99-37 – ANNEXATION OF ELIGIBLE PROPERTIES GENERALLY LOCATED NORTH AND SOUTH OF 21ST STREET NORTH AND EAST AND WEST OF HOOVER. (District V)

Marvin Krout Director of Planning reviewed the Item.

Agenda Report No. 00-0658.

On May 2, 2000, the City Council adopted a resolution that established July 11, 2000, at 7:00 p.m. at the Sedgwick County Extension Center, 7001 West 21st Street North, Wichita, Kansas as the date, time and place for a public hearing for this annexation. The properties proposed for annexation are located north and south of 21st Street North and east and west of Hoover. The subject area consists of approximately 611 acres and 47 properties (1 platted and 46 unplatted). The land-use pattern consists of 35 residential tracts, 6 commercial tracts, 4 farm-related tracts, and 2 vacant tracts. A small portion of Maize Road, north of 21st Street North, and that portion of Ridge Road, from 21st Street North to a ½ mile south of 29th Street North, is also included. The land use pattern of the area proposed for annexation is a mix of residential uses, agricultural uses, with some commercial and industrial uses concentrated along the Hoover Road. The majority of the subject property is zoned "SF-20" Single-Family Residential, with several areas zoned "LC" Limited Commercial and "LI" Limited Industrial. Those areas zoned "SF-20" will convert to the "SF-6" Single-Family Residential district upon annexation ("SF-10" if requested by property owner and approved by the governing body), while other properties will retain their existing zoning. A 20-acre tract located north of 21st Street and east of Hoover was recently approved for "IP" Industrial Park zoning by the County Commission subject to platting.

The majority of the land proposed for annexation is located within the area identified as "low-density residential", with some "commercial" and "industrial" areas intermixed, according to the 1999 Update to the Wichita-Sedgwick County Comprehensive Plan: Preparing for Change Land Use Guide Map, recently approved by the Metropolitan Area Planning Commission. Also, the proposed annexation area is located within the "2010 Urban Service Area", and "2030 Urban Service Area" boundaries found in the proposed Comprehensive Plan amendments. The land use pattern within the annexation area is generally consistent with its land use designation in the updated Plan.

An informational meeting regarding the proposed annexation was held on June 7, 2000 at the Sedgwick County Extension Center, 7001 W. 21st Street N. Approximately 32 property owners and interested citizens attended the meeting and asked numerous questions regarding the proposed annexation.

In accordance with Kansas statutes, a Service Extension Plan was prepared for this unilateral annexation. The Plan describes the means by which City services will be extended to the area. Map No. 2A in the Plan shows the properties proposed for annexation. The analysis of the proposed annexation is contained in the plan.

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The total appraised value of the land and improvements proposed for annexation is \$2,037,970 resulting in an annual City Ad Valorem tax revenue of approximately \$9,615.

Major municipal services to be provided to this area upon annexation are street maintenance, ditch cleaning, culvert cleaning, fire protection, police protection, building code enforcement, and health code enforcement. The operating departments currently delivering these services will fund them upon annexation. Major municipal services, such as local street improvements, water and sewer service, may be provided to this area upon request of the property owners. The cost of municipal services requested by the property owners will be distributed among the City at large and the benefiting property owners according to current City policies.

The Service Extension Plan has been on file for public inspection in the Office of the City Clerk. Copies of the resolution establishing the public hearing, a map (showing the properties included) and a notice of the public hearing, were sent by certified mail to all property owners of record in the proposed annexation area and to other established governmental entities and utility services. Copies of the resolution and map have also been published in the official City newspaper as further notification of the scheduled public hearing.

The Metropolitan Area Planning Commission reviewed the proposed annexation for compatibility with the Comprehensive Plan on May 25, 2000. The staff report presented at the MAPC meeting indicated that the proposed annexation was in conformance with the Comprehensive Plan. The MAPC found the proposed annexation in conformance with the Comprehensive Plan by a vote of ten to zero (10-0).

In conducting the public hearing, Kansas statutes require that the City's plan for extending major municipal services be presented and that all persons interested in the annexation be heard. After hearing all comments of the persons interested, the City Council has the option of continuing or closing the public hearing, and approving or rejecting the annexation proposal.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard.

Kenneth Kindler

Spoke against the annexation and said he would receive no benefit from the annexation.

Ed Roberts

Ed Roberts, representing a property owner in the area, inquired regarding annexation of agricultural-use property.

Marvin Krout

Director of Planning responded that, in accordance with State Statutes, property the City was annexing was not identified as agriculturally exempt, or assessed as agricultural, by Sedgwick County.

Motion --
-- carried

Martz moved that the Public Hearing be closed, the annexation request be approved, and the Ordinance be placed on first reading. Motion carried 6 to 0. (Rogers absent)

ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, introduced and under the rules laid over. A99-37

ADJOURNMENT

The City Council meeting adjourned at 7:20 p.m.

Pat Burnett, CMC
City Clerk